

United States District CourtFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

Jun 07, 2021**Eastern District of Washington**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Holly Rachelle Sherwood Case Number: 0980 2:18CR00187-TOR-1

Address of Offender: 2319 West 3rd Avenue # 1, Spokane, Washington 99201

Name of Sentencing Judicial Officer: The Honorable B. Lynn Winmill, Chief U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: March 8, 2017

Original Offense: Possession of Stolen Mail, 18 U.S.C. § 1708

Original Sentence: Prison - 15 months Type of Supervision: Supervised Release
TSR - 36 monthsRevocation Sentence: Prison - 60 days
(May 29, 2019) TSR -34 months

Asst. U.S. Attorney: Earl A. Hicks Date Supervision Commenced: May 15, 2020

Defense Attorney: J. Houston Goddard Date Supervision Expires: March 14, 2023

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 01/28/2021, 02/04/2021, 02/19/2021 and 03/24/2021.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
12	<p><u>Special Condition #11:</u> You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.</p> <p><u>Supporting Evidence:</u> It is alleged that Ms. Sherwood violated the terms of her supervised release as she used marijuana, methamphetamine, and heroin on or about May 29, 2021, a direct violation of special condition number 11.</p> <p>Ms. Sherwood's conditions of supervised release were reviewed with her on May 18, 2020, and she acknowledged an understanding of the terms and conditions of her supervised release.</p>

Prob12C

Re: Sherwood, Holly Rachelle

June 7, 2021

Page 2

On June 2, 2021, after Ms. Sherwood's supervised release revocation hearing concluded while initially being dishonest, Ms. Sherwood admitted to the undersigned that she last used marijuana on or about May 29, 2021. After multiple attempts, Ms. Sherwood was able to provide a urinalysis, in which it tested presumptive positive for methamphetamine, amphetamines, and morphine. Thereafter, Ms. Sherwood admitted to the undersigned and via a signed document that she used methamphetamine and heroin on or about May 29, 2021.

13 **Standard Condition # 4:** You must be truthful when responding to the questions asked by your probation officer.

Supporting Evidence: On June 2, 2021, it is alleged that Ms. Sherwood violated the terms of her supervised release as she was dishonest with her U.S. probation officer on multiple instances in respect to her use of illicit substances, a direct violation of standard condition 4.

Ms. Sherwood's conditions of supervised release were reviewed with her on May 18, 2020, and she acknowledged an understanding of the terms and conditions of her supervised release.

On June 1, 2021, the undersigned directed Ms. Sherwood to report to the U.S. Probation Office on June 2, 2021, before 11:30 a.m., to provide a urinalysis. Ms. Sherwood reported to the U.S. Probation Office at approximately 12:20 p.m. It was at that time the undersigned directly asked Ms. Sherwood if she had been remaining abstinent from illicit substances, in which she responded she was indeed remaining abstinent from illicit substances. Ms. Sherwood stated she was unable to provide a urine sample prior to the 1:30 p.m. hearing. The Honorable Thomas O. Rice, U.S. District Judge, directed Ms. Sherwood to provide a urinalysis before 4:30 p.m. on June 2, 2021, or she would go into the custody of the U.S. Marshals Service. After the hearing, Ms. Sherwood initially informed the undersigned that she had been remaining abstinent from illicit substances until she eventually stated she used marijuana on May 29, 2021. Ms. Sherwood was informed she would still need to provide a urinalysis before 4:30 p.m. Ms. Sherwood eventually did provide a sample which tested presumptive positive for morphine and methamphetamine; she ultimately admitted to using methamphetamine and heroin on May 29, 2021.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 06/07/2021

s/Jonathan C. Bot

Jonathan C. Bot

U.S. Probation Officer

Prob12C

Re: Sherwood, Holly Rachelle

June 7, 2021

Page 3

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☒ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.
- ☒ Other: *All pending violations will be addressed at the final Revocation of Supervised Release hearing scheduled for 6/10/2021 at 11:30 a.m.*



Thomas O. Rice
United States District Judge

June 7, 2021

Date